

REMARKS

Claims 1-18 are pending in the application. It is gratefully acknowledged that the Examiner has allowed Claims 16-18. Claim 8 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner has rejected Claims 1 and 5 under 35 U.S.C. §103(a) as being unpatentable over Chalmers (U.S. Patent 5,375,146) in view of Yasuda (U.S. Patent 6,181,740), and further in view of Poklemba (U.S. patent 5,696,796). The Examiner has rejected Claims 2-4 and 9-15 under 35 U.S.C. §103(a) as being unpatentable over Chalmers in view of Yasuda, further in view of Poklemba, and further in view of Ostman (U.S. Patent 6,061,385). The Examiner has rejected Claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over Chalmers in view of Poklemba, and further in view of Ostman.

Regarding the rejections of independent Claims 1 and 5, under §103(a), the Examiner states that Chalmers in view of Yasuda and further in view of Poklemba renders the claims obvious. Chalmers discloses a digital frequency conversion and tuning scheme for microwave radio receivers and transmitters; Yasuda discloses a sampling system; and, Poklemba discloses a continuously variable IF sampling method for digital data transmission.

Claim 1 recites a first mixer, a decimation filter and a second mixer. The decimation filter receives its input from the first mixer; and the second mixer receives its input signal from the decimation filter. This mixer-filter-mixer configuration is a series configuration.

The Examiner asserted that since Chalmers discloses a general decimation filter, it would be obvious to one of ordinary skill in art to combine the phase shifter 126, mixer 132 and mixer 134 in Fig. 1 of Chalmers with the teaching of an analog decimation filter 105 of Fig. 3 of Yasuda. The two mixers of Chalmers are in parallel. The decimation filter of Yasuda cannot be situated between the mixer 132 and the mixer 134 of Chalmers.

Regarding Claim 5, the arguments set forth above with respect to Claim 1 also apply to Claim 5.

Based on at least the foregoing, withdrawal of the rejections of independent Claims 1 and 5, under §103(a) is respectfully requested.

Independent Claims 1 and 5 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4 and 6-15, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4 and 6-15 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-18, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

THE FARRELL LAW FIRM
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/MJM/dr